

Exhibit 7 - Shamara Bell Deposition Excerpts

TESLA, INC. vs MARTIN TRIPP
Shamara Bell on 09/06/2019

Confidential

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA
3 TESLA, INC., a Delaware)
4 Corporation,)
5 Plaintiff)
6 VS.)
7 MARTIN TRIPP, an Individual,)
8 Defendant)
9) Case No.) 3:18-cv-00296-LRH-CBC
10)
11 MARTIN TRIPP, an Individual,)
12 Counterclaimant)
13)
14 TESLA, INC., a Delaware)
15 Corporation,)
16 Counter Defendant)
17)
18)
19)
20)
21)

CONFIDENTIAL

ORAL AND VIDEOTAPED DEPOSITION OF
SHAMARA BELL
SEPTEMBER 6, 2019
VOLUME 1

ORAL AND VIDEOTAPED DEPOSITION OF SHAMARA BELL,
produced as a witness at the instance of the
DEFENDANT/COUNTERCLAIMANT, and duly sworn, was taken in
the above-styled and numbered cause on September 6, 2019,

TESLA, INC. vs MARTIN TRIPP
Shamara Bell on 09/06/2019

Confidential

Page 2

1 from 10:19 a.m. to 1:12 p.m., before Tobi Moreland, CSR in
2 and for the State of Texas, at the Killeen Civic Center &
3 Conference Center, 3601 South W.S. Young Drive, Killeen,
4 Texas, pursuant to the Federal Rules of Civil Procedure
5 and any stipulations made on the record.

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

TESLA, INC. vs MARTIN TRIPP
Shamara Bell on 09/06/2019**Confidential****Page 58**

1 does that have any significance to you, that particular
2 header?

3 A. Attributed to a Tesla spokesperson?

4 Q. Yes.

5 A. I mean, to a Tesla spokesperson -- I don't know
6 how to answer that question. I don't understand the
7 question, I guess.

8 Q. That's fine. My understanding is that when
9 something at Tesla was supposed to be put out for public
10 consumption, it would typically include such a header.
11 That doesn't mean anything to you based upon the type of
12 work you did at Tesla?

13 A. Right.

14 Q. Have you ever seen the quoted statement right
15 below that header?

16 A. I saw this in the media, correct, yes.

17 Q. Did anyone at Tesla ever seek your confirmation
18 that what was reflected in that official statement was
19 true and correct?

20 A. Seek my confirmation as far as --

21 Q. Yes.

22 A. -- whether or not this was true and correct?

23 If you're referring to verbiage-wise and the
24 "shoot the place up" sentence, that was not stated.

25 However, the actions of the man being heavily armed and

TESLA, INC. vs MARTIN TRIPP
Shamara Bell on 09/06/2019**Confidential****Page 59**

1 wanting to hurt people, there's only one thing that --
2 well, I can't assume, but I would -- there's only one
3 thing you can do when you're heavily armed. So I can --
4 it's still saying the same thing, but verbiage-wise, that
5 was not my exact verbiage.

6 Q. Okay. But isn't it a fact that the caller did
7 not say that the person was coming to the Gigafactory to
8 shoot the place up?

9 MR. BETETA: Objection. Asked and
10 answered.

11 A. Correct, that wasn't -- that wasn't the verbiage
12 that was used.

13 Q. (By Mr. Mitchell) And if the caller had said
14 that Mr. Tripp was going to the Gigafactory to shoot the
15 place up, you would have put that in your recap of the
16 call, wouldn't you?

17 A. I would have, and I probably would have thought
18 it was a prank at that point, that type of -- but yeah, I
19 would have stated that.

20 Q. Because that would have been an important
21 message to convey, wouldn't it?

22 A. Correct.

23 Q. Did you tell anyone at Tesla after that phone
24 call that the alleged -- or the anonymous caller was a
25 friend of Mr. Tripp?

TESLA, INC. vs MARTIN TRIPP
Shamara Bell on 09/06/2019

Confidential

Page 78

1 A. No.

2 Q. Did you receive a call concerning a threat to

3 Tesla's Gigafactory in Nevada?

4 A. I did.

5 Q. And what did the caller say?

6 A. So the caller, he stated that he had some

7 concerns -- well, that's not how it started. But he said

8 that he was calling because he has -- he's a friend of

9 someone that was recently fired from Tesla and he was

10 upset because his name was just released in the media.

11 He's scared -- he was scared for the safety of the

12 employees at the Gigafactory, says that his friend was

13 heavily armed and volatile, so he was just calling to

14 report this to let us know. That's the gist of the

15 conversation that I had with him.

16 Q. Anything else that you recall from the call?

17 A. I was trying to probe and try to get a name for

18 him or a contact number, and he -- he wanted to remain

19 anonymous. So, you know, my efforts at identifying who he

20 was were unsuccessful. He said that he didn't want to be

21 involved because -- because he was a friend of Martin

22 Tripp.

23 Q. Did you think this was a credible threat?

24 A. Yes.

25 Q. And why?

Confidential

TESLA, INC. vs MARTIN TRIPP
Shamara Bell on 09/06/2019

Page 79

1 MR. MITCHELL: Objection to form.

2 Foundation. Objection, foundation.

3 A. I thought it was credible. Things like this
4 happen every day. And protocol, even if it led to
5 nothing, it -- you know, it's a serious threat. People
6 could get hurt if this wasn't reported in some way, shape,
7 form, fashion. We see this every day at Walmarts and
8 schools. So yes, I thought it was credible.

9 Q. (By Mr. Beteta) And did anything about the call
10 and the caller make you think that the call was credible?

11 A. The -- I mean, he sounded sincere.

12 MR. MITCHELL: Objection, form.

13 A. He sounded sincere. He sounded scared, perhaps
14 even a little nervous. But he also sounded like, hey,
15 this is my sense of duty. Like, I need to at least let
16 someone know, you know, in an attempt to stop people from
17 being hurt.

18 Q. (By Mr. Beteta) As a result of the call, were
19 you worried or scared?

20 A. It was scary. Definitely worried. I wanted to
21 get all the information that I could possibly get and
22 escalate it forward because sometimes time is -- time is
23 everything. So yeah, I was worried and a little scared.

24 Q. Did you ever think that the call was fake?

25 A. Never.

TESLA, INC. vs MARTIN TRIPP
Shamara Bell on 09/06/2019

Confidential

Page 80

1 Q. And why not?

2 A. The seriousness of this call. He sounded

3 genuine. I had no reason to question. He didn't give me

4 a reason to question. It didn't sound like he was

5 laughing, or it didn't sound like he was rushing through

6 it. He was -- you know, he just genuinely sounded like he

7 was concerned.

8 Q. Could you get the caller's number from the

9 caller ID?

10 A. No.

11 Q. Did it raise any concern or make you suspicious

12 that the caller ID was blocked?

13 A. No.

14 Q. And why not?

15 A. Sometimes people block their phone numbers

16 because they don't want to -- you know, they don't want

17 people to have access to their information. So it's just

18 all about, like -- not security. What's the right word?

19 It's just being private, privacy, I guess.

20 Q. Did you let any of your coworkers know what was

21 going on while the caller was on the phone?

22 A. No, I didn't. I didn't.

23 Q. Did you tell your supervisor what was going on

24 while the caller was on the phone?

25 A. Correct, yes, I did.

TESLA, INC. vs MARTIN TRIPP
Shamara Bell on 09/06/2019

Confidential

Page 82

1 So, you know, I returned to the call, and I

2 asked him to confirm. I was like, well, is this in

3 regards to Martin Tripp?

4 He did confirm that, yes, this is in regards to

5 Martin Tripp. So at that point, that's when I realized

6 that, okay, it was in regards to Martin Tripp.

7 Q. How did you feel after taking the call?

8 A. Worried, scared, like shocked. Yeah.

9 Q. Were you concerned that Mr. Tripp might show up

10 to the Gigafactory to shoot up the place?

11 A. Yeah.

12 Q. Were you concerned for the safety of those at

13 the Gigafactory?

14 A. Absolutely.

15 Q. Why?

16 A. Because just being heavily armed and volatile

17 and upset can lead to things like Columbine. Like, it's

18 not a good combination. So yeah, I was worried for them.

19 Q. Did Tesla security reach out to you concerning

20 the threat to the Gigafactory that you received?

21 A. Yes.

22 Q. How soon after the call?

23 A. I don't think it was -- I don't think it was too

24 long after, maybe within the hour. Maybe within the hour.

25 Q. And what did Tesla security tell you? I'm

TESLA, INC. vs MARTIN TRIPP
Shamara Bell on 09/06/2019

Confidential

Page 92

1 A. What was the question?

2 Q. (By Mr. Beteta) Why do you believe that the

3 caller -- I'm sorry. Why do you believe the call on

4 June 20, 2018, created a threat to the Gigafactory and its

5 employees?

6 MR. MITCHELL: Same objections.

7 A. Well, a threat of that serious -- it's a serious

8 nature of the threat. He sounded genuine, scared, like it

9 was his obligation, like his duty to report this, to

10 prevent people from being hurt, is what -- the sense I got

11 from this conversation. I -- you know, I took it as a

12 legitimate call. You know, had I not taken it seriously

13 and something -- you know, the opposite would have

14 happened, it could have had a really -- it could have had

15 a whole different alternative ending. So things of that

16 nature have to be addressed.

17 MR. BETETA: Thank you, Ms. Bell. I have

18 nothing further.

19 EXAMINATION

20 BY MR. MITCHELL:

21 Q. I do have just a few follow-up questions.

22 Ms. Bell, you said in response to one of the questions

23 from your counsel that these things happen every day. I

24 just want to clarify. Isn't it true the only time this

25 ever happened to you was June 20, 2018?

TESLA, INC. vs MARTIN TRIPP
Shamara Bell on 09/06/2019

Confidential

Page 97

1 UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA

2

3 TESLA, INC., a Delaware)
 Corporation,)
 4 Plaintiff)
)
 5 VS.)
)
 6)
 MARTIN TRIPP, an Individual,)
 7 Defendant) Case No.
) 3:18-cv-00296-LRH-CBC

8)
 MARTIN TRIPP, an Individual,)
 9 Counterclaimant)
)
 10)
)
 11 TESLA, INC., a Delaware)
 Corporation,)
 12 Counter Defendant)

REPORTER'S CERTIFICATION
 DEPOSITION OF SHAMARA BELL
 SEPTEMBER 6, 2019

15 I, Tobi Moreland, Certified Shorthand Reporter in
 16 and for the State of Texas, hereby certify to the
 following:

17 That the witness, SHAMARA BELL, was duly sworn by
 18 the officer and that the transcript of the oral
 deposition is a true record of the testimony given by the
 19 witness;

20 That the deposition transcript was submitted on
 September 16th, 2019 to the witness or to the attorney
 21 for the witness for examination, signature and return to
 Huseby, Inc., by October 6th, 2019;

22 That the amount of time used by each party at the
 23 deposition is as follows:

24 Mr. Douglas J. Beteta..... 22 Minutes
 Mr. Robert D. Mitchell.....2 Hours, 8 Minutes

Confidential

TESLA, INC. vs MARTIN TRIPP
Shamara Bell on 09/06/2019

Page 98

1 deposition officer at the time said testimony was taken,
2 the following includes counsel for all parties of record:

3 Mr. Douglas J. Beteta, Attorney for Plaintiff/Counter
Defendant

4 Mr. Robert D. Mitchell, Attorney for
Defendant/Counterclaimant

5
6 That \$_____ is the deposition officer's
charges to the Defendant/Counterclaimant for preparing
7 the original deposition transcript and any copies of
exhibits;

8
9 I further certify that I am neither counsel for,
related to, nor employed by any of the parties or
attorneys in the action in which this proceeding was
10 taken, and further that I am not financially or otherwise
interested in the outcome of the action.

11
12 Certified to by me this _____ day of
_____, 2019.

13
14
15
16 _____
Tobi L. Moreland, CSR 3317
Expires 12/31/19
Huseby, Inc.
1230 West Morehead Street
Suite 408
Charlotte, NC 28208
Phone: 800-333-2082
17
18
19
20
21
22
23
24
25